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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,666	01/08/2002	Nianci Han	003330	6183
21861	7590	07/27/2005	USA/ETCH/METAL/JB	
JANAH & ASSOCIATES A PROFESSIONAL CORP 650 DELANCEY STREET SUITE 106 SAN FRANCISCO, CA 941072001			EXAMINER LAVILLA, MICHAEL E	
			ART UNIT 1775	PAPER NUMBER

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>SUPPLEMENTAL</b> <b>Response to Rule 312 Communication</b>	<b>Application No.</b> 10/042,666	<b>Applicant(s)</b> HAN ET AL.	
	<b>Examiner</b> Michael La Villa	<b>Art Unit</b> 1775	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

1. ☒ The amendment filed on 13 September 2004 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☒ entered in part. See explanation below.

*Claims 58-64 have been canceled by Supplemental Examiner's Amendment for the reasons discussed therein. This Supplemental Response to Rule 312 Communication supersedes the Response to Rule 312 Communication mailed on 4 March 2005*



**MICHAEL E. LAVILLA PH.D.**  
**PRIMARY EXAMINER**

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### **SUPPLEMENTAL EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Janah on 19 July 2005.
3. The application has been amended as follows:
  - I. Please cancel Claims 58-64.
4. Attached is a corrected claim listing derived from applicant's 37 C.F.R. 1.312 amendment of 13 September 2004. Claims 58-64 had been canceled by agreement in the Examiner's Amendment accompanying the Notice of Allowability of 13 July 2004. Therefore, entry of applicant's 37 C.F.R. 1.312 with these claims is improper. These circumstances were discussed with Mr. Janah, and agreement was reached to again cancel Claims 58-64 by this Supplemental Examiner's Amendment.


### **CONCLUSION**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael La Villa whose telephone number is (571) 272-1539. The examiner can normally be reached on Monday through Friday.

Art Unit: 1775

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael La Villa  
20 July 2005

  
MICHAEL E. LAVILLA PH.D.  
PRIMARY EXAMINER